

U.S. District Judge Lauren King
US Magistrate Judge S. Kate Vaughan

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JUSTIN ALLEN DAVEY,

Plaintiff,

vs.

PIERCE COUNTY COUNCIL, ED
TROYER, PATTI JACKSON, BRIAN
SUTHERLIN, MATTHEW DOBSON,
ANTHONY MASTANDREA, DARRYL
HERBISON, AND TORVALD PEARSON,

Defendants.

NO. 3:21-cv-05068-JCC-SKV

AMENDED OFFER OF JUDGMENT
PURSUANT TO RULE 68

Pursuant to Federal Rule of Civil Procedure 68 and *Marek v. Chesny*, 473 U.S. 1 (1985), Defendants Pierce County hereby offer to permit Plaintiff to take a judgment against it in settlement of all claims against all Defendants to this action, including, but not limited to Defendants Pierce County, Ed Troyer, Patti Jackson, Brian Sutherlin, Matthew Dobson, Anthony Mastandrea, Darryl Herbison and Torvald Pearson, in the amount of Thirty Three Thousand Dollars (\$33,000.00), and an additional Twelve Thousand Dollars (\$12,000.00) in costs and fees accrued in this case by Plaintiff to the date and time of the January 19, 2023, Offer of Judgment. See Dkt. 96, Dkt.96-1, Dkt. 97, Dkt. 97-1.

This Offer amends the prior January 19, 2023, Offer of Judgment (Dkt. 96, Dkt.96-1,

Dkt. 97, Dkt. 97-1) and is extended in an effort to settle and fully resolve all legal and equitable relief sought by Plaintiff in this case against Defendants, to include any current or former employees of Pierce County. This Offer is made for the purpose of and pursuant to Civil Rule 68 and shall not be construed as a waiver of any defense or objection, as an admission of liability, or as an admission that Plaintiff has suffered any injury or incurred any damages as a result of any action, inaction, or other conduct by Defendants. This Offer is made in an attempt to allow Plaintiff and Defendants to compromise their respective litigation positions, to eliminate the added costs of further discovery and other trial preparation, and to avoid the risks and expenses of trial.

DATED this 9th day of March, 2023.

MARY E. ROBNETT
Prosecuting Attorney

s/ FRANK CORNELIUS
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CERTIFICATE OF SERVICE

On March 9, 2023, I hereby certify that I electronically delivered the foregoing AMENDED OFFER OF JUDGMENT PURSUANT TO RULE 68 to the following attorneys of record for Plaintiff in this matter:

STOEL RIVES, LLP
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s/ NADINE BRITTAIN
NADINE BRITTAIN
Legal Assistant